

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.6136 of 2020
and
Crl.M.P.No.3438 of 2020

1. Aldo Jeyavalan
2. J.Ranjith
3. C.Prithivi

... Petitioners

Vs.

1. The State Rep. by,
The Sub-Inspector of Police,
S-1, St.Thomas Mount Police Station,
Chennai - 600 016,
Crime No. 16 of 2020.

2. S.Loganathan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in F.I.R Crime No. 16 of 2020 on the file of the respondent police and quash the same.

For Petitioners : Mr.N.Ganeshmurthy

For Respondents : Mr.M.Mohamed Riyaz (for R1)
Additional Public Prosecutor.

O R D E R

This petition has been filed seeking direction to call for the records in F.I.R Crime No. 16 of 2020 on the file of the respondent police and quash the same.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves, and the relevant portion of the consent affidavit of the defacto complainant and the accused in Crime No.16 of 2020 on the file of the first respondent Police is extracted hereunder:-

"It is therefore requested that this consent affidavit made in the process of filing the quash

petition in crime No.16 of 2020, pending on the file of Sub-Inspector of Police, S1-St.Thomas Mount Police Station may be recorded and the case in Crime No.16 of 2020 may be quashed against the accused persons."

3. Consent affidavit, which was filed before the respondent police, has been filed before this Court. All the parties are present and identified by their respective counsel and the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujraht), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.16 of 2020.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.16 of 2020, on the file of the Sub-Inspector of Police, S-1, St.Thomas Mount Police Station, Chennai is quashed and the terms of consent affidavit shall form part and parcel of this Order. The petitioners shall pay a sum of Rs.10,000/-, as costs, to the High Court Legal Services Committee, within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ebsi

To

1. The Sub Inspector of Police,
S-1, St.Thomas Mount Police Station,
Chennai - 600 016,
2. The Public Prosecutor,
High Court, Madras.
- 3.The Secretary,High Court,Legal Services Committee,
Chennai-104

+1cc to Mr.N.Ganesh Murthy, Advocate, Sr.No.23121

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SSV(CO)
GS(20/07/2020)



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